

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

SHAVONTAE DANIELS,

Plaintiff,

v.

Case No. 18-CV-775

JOHN DOE, *et al.*,

Defendants.

ORDER

Plaintiff Shavontae Daniels is representing himself in this 42 U.S.C. § 1983 lawsuit about his medication going missing and being stolen while he was an inmate at Waupun Correctional Institution. On July 26, 2019, the defendants¹ filed a motion for summary judgment, and Daniels had 30 days to respond under the Local Rules. Civil L.R. 56(b)(2) (E.D. Wis.). When Daniels failed to respond, the court issued a show cause order giving him more time to do so. It also warned Daniels that failure


¹ Daniels is proceeding against two Doe defendants and two named defendants. The Doe defendants are merely placeholders. They are nominal parties who do not affect federal jurisdiction. *See generally Howell by Goerdts v. Tribune Entertainment Co.*, 106 F.3d 215, 218 (7th Cir. 1997); *Moore v. General Motors Pension Plans*, 91 F.3d 848, 850 (7th Cir. 1996). As placeholders, they cannot consent and therefore should not affect the jurisdiction of a magistrate judge under 28 U.S.C. § 636(c). *Directbuy, Inc. v. Next Level Marketing, Inc.*, No. 2:09 cv 84, 2010 WL 4852467, *3 (N.D. Ind. Nov. 22, 2010) (explaining that “John Doe” defendants do not affect federal jurisdiction and “also should not affect the jurisdiction of a magistrate judge under Section 636(c)”).

to respond or communicate with the court would result in the court granting the defendants' motion as unopposed. (ECF No. 52.) The deadline the court gave Daniels has come and gone and the court has not heard from him. Therefore, the court will grant the defendants' motion for summary judgment as unopposed, enter judgment in their favor, and dismiss the case. Civil L.R. 7(d); Civil L.R. 41(c) (E.D. Wis.).

NOW, THEREFORE, IT IS ORDERED that the defendants' motion for summary judgment (ECF No. 44) is **GRANTED as unopposed**.

IT IS FURTHER ORDERED that the case is **DISMISSED with prejudice**. The Clerk of Court shall enter judgment accordingly.

Dated at Milwaukee, Wisconsin this 14th day of November, 2019.


WILLIAM E. DUFFIN
U.S. Magistrate Judge